

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:07CR184 ERW
)	
ERIC EARNEST,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. Defendant has filed a motion for relief from judgment pursuant to *Johnson v. United States*, 135 S.Ct. 2551 (2015). The Court finds that the motion should be administratively terminated and opened as a new case under 28 U.S.C. § 2255.

Accordingly,

IT IS HERBY ORDERED that the Clerk is directed to **administratively terminate** defendant's motion for relief from judgment [Doc. #893] and to open it as a new civil action under 28 U.S.C. § 2255. The Clerk should note that this is a *Johnson* action.

Dated this 7th day of July, 2016.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE